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APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/791,416

03/01/2004

Michael Hormann

298-236

28249

DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553 M 22 2004

CONFIRMATION NO. 5395 FORMALITIES LETTER

OC000000012728915

Date Mailed: 05/20/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
 A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

• \$65 Late oath or declaration Surcharge.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

07/23/2004 MAHMED1 00000016 10791416

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65.00 OP

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE



ATTORNEY DOCKET 298-236

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Michael Hormann Examiner:

Serial No.: 10/791,416 Group Art Unit: 3634

Filed: Herewith (March 1, 2004) Date: July 20, 2004

For: GATE OR DOOR DRIVE HOUSING

Commissioner for Patents

MAIL STOP MISSING PARTS

P.O. Box 1450

Alexandria. VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION - FILING DATE GRANTED

In response to the Notice to File Missing Parts of Application - Filing Date Granted, dated May 20, 2004 for the above-identified patent application, Applicant submits the following:

an executed Combined Declaration and Power of Attorney by the inventors;

a check for \$65.00 to cover the Missing Parts Fee;

a copy of the Notice to File Missing Parts of application; and

an executed Assignment together with a Recordation Form Cover Sheet and the \$ 40.00 fee.

CERTIFICATE OF MAILING 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope, addressed to the Commissioner for Patents, P.O. Box 1450-MAIL STOP MISSING PARTS, Alexandria. VA 22313-1450 on July 20, 2004.

George M. Kaplan

It is believed that no other fees will be incurred as a result of this response. However, charge any deficiency or credit any overpayment of such fees to Deposit Account No. <u>04-1121</u>. Also, in the event that any extensions of time are required for this response, please treat this paper as a petition to extend the time as required and charge Deposit Account No. 04-1121. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,

Øeørge M. Kaplan∕

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Attorney for Applicant

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